

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

JOHN E. ERICKSON; SHELLEY A.  
ERICKSON; SHELLEY'S TOTAL BODY  
WORKS DAY SPA/SHELLEY'S SUNTAN  
PARLOR,

Plaintiffs,

v.

LONG BEACH MORTGAGE CO.;  
WASHINGTON MUTUAL BANK;  
CHASE BANK; DEUTSCHE BANK  
NATIONAL TRUST COMPANY,

Defendants.

No. 2:10-CV-01423-SAB

**ORDER DISMISSING  
MOTIONS**

Before the Court are Plaintiffs' Motion for Order to Show Cause to Vacate of Dismissal, ECF No. 114, Motion for Entry of Default and Default Judgment, ECF No. 118, Motion for Entry of Default of Defendants, ECF No. 120, and Motion to Vacate Dismissal, ECF No. 124. Plaintiffs are represented *pro se*. Defendants are represented by Fred B. Burnside and Joshua A. Rataczyk. The motions were considered without oral argument.

**ORDER DISMISSING MOTIONS # 1**

1 The issues in this case have already been extensively litigated. The instant  
2 motions provide no new material that has not already been considered and fail to  
3 qualify for the extraordinary remedies of vacating or reconsidering past Orders.  
4 Since there is nothing new to consider, the Court denies all four motions. *See*  
5 previous Court Orders at ECF Nos. 94, 107, and 113.

6 In federal courts, Rules 55 and 60 are the basis for default judgment  
7 procedures when a judgment is entered upon the failure of a defendant to appear  
8 before a court or answer a complaint. Fed. R. Civ. P. 55 & 60. A judgment has  
9 already been determined in favor of Defendants and affirmed by the Ninth Circuit  
10 Court of Appeals, ECF Nos. 94 and 101. Therefore, Plaintiffs' motions for default  
11 judgment are denied.

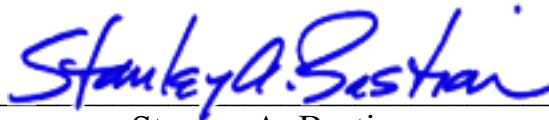
12 Accordingly, **IT IS HEREBY ORDERED:**

13 1. Plaintiffs' Motion for Order to Show Cause to Vacation of Dismissal,  
14 ECF No. 114, Motion for Entry of Default and Default Judgment, ECF No. 118,  
15 Motion for Entry of Default of Defendants, ECF No. 120, and Motion to Vacate  
16 Dismissal, ECF No. 124 are **DENIED**.

17 2. The case remains closed.

18 **IT IS SO ORDERED.** The Clerk of Court is directed to enter this Order,  
19 forward copies to counsel, and **close** the file.

20 **DATED** this 28th day of September 2023.

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24 Stanley A. Bastian  
25 United States District Judge  
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